GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada - Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Articles of Charges - Issued.

---

LABOUR, FACTORIES, BOILERS AND IMS (IMS&VIG) DEPARTMENT

G.O.Rt.No.176 Dated:11.05.2022

Read the Following:

1. From the DG, (V&E) & E.O. Prl. Secy. to Govt. VR.No.1,(C.No.2982/ V&E/ Sec.II/D2/2019-1&2&836/V&E/Sec.II/D2/2019-1) Dt.03.01.2020.
2. From the Director of Insurance Medical Services, A.P., Vijayawada Lr. Rc.No.1625923/SM/DIMS/2022, dated:15.03.2022

***

ORDER

It is proposed to hold an inquiry against Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules,1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges (Annexure-I). A statement of imputations of misconduct or misbehavior on which action is proposed to be taken against him is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the Articles of charges are proposed to be sustained are also enclosed (Annexure- III&IV).

3. Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada is directed to submit his written statement of defense within10 days from the date of receipt of this Government Order a written statement of his defence and also to state whether he desires to be heard in person.

4. Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada is further informed that an inquiry will be held only in respect of those articles of charges are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada is further informed that if he does not submit his written statement of defense on or before the date specified in Para-3 above or does not appear in person before the Inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Attention of Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to furtherance of his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another persons in respect of any matter dealt with these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada is specifically informed, that this order does not preclude the disciplinary authority to frame fresh charges, if any other irregularities are noticed during the course of disciplinary action.

(P.T.O)

8. The receipt of this Government Order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada through the Director, Insurance Medical Services, Andhra Pradesh, Vijayawada.
Copy to:
The Director, Insurance Medical Services, Andhra Pradesh, Vijayawada with a request to serve the Articles of charge on the individual and furnish the dated ACK. of served copy for record.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

**Statement of Article of Charges framed against Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada.**

That the said Sri N. Subba Rao, Superintendent, O/o DIMS, Andhra Pradesh, Vijayawada while working in O/o DIMS from 2014 to 2019, had committed the grave misconduct and irregularities as mentioned in the article of charges.

**Article of Charge -1**

That Sri N. Subba Rao while working in O/o DIMS, Andhra Pradesh, paid an amount of Rs.68.88 Crores to various companies by changing Head of Accounts, which is violation of Financial Rules & Procedures.

**Article of Charge -2**

That Sri N. Subba Rao while working in O/o DIMS, Andhra Pradesh, failed to maintain budget registers and bills registers for onwards submission to the PAO Concerned.

**Article of Charge -3**

That Sri N. Subba Rao while working in O/o DIMS, Andhra Pradesh, initiated sanction proceedings for payments by mentioning irrelevant HOA and made payments.

***By his above mentioned acts, he has exhibited lack of integrity, irresponsible towards his legitimate duties, maintaining integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules, 1964.***

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

## ANNEXURE - II

**Statement of imputations of misconduct and irregularities in support of Article of Charges framed against Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada.**

The Vigilance & Enforcement officials have enquired regarding the misappropriation in the Directorate of Insurance Medical Services, Andhra Pradesh, Vijayawada in procurement of Drugs, Medical Equipment, Biometric Machines, Furniture, engaging the services of call center and ECG Test through M/s. Tale Health Services and establishment of Sewage Treatment plants at 03 Hospitals and one Diagnostic Center through M/s. Jalam Environmental Pvt Ltd., during the tenure of previous three I/c. Directors of Insurance Medical Services i.e., Dr. B. Ravi Kumar (01-11-2014 to 05-07-2016), Dr. C.K. Ramesh Kumar (06-07-2016 to 01-11-2017) and Dr. G. Vijaya Kumar (02-11-2017 to 07-05-2019) and submitted report to the Government. The following are the lapses, irregularities noticed during the enquiry.

1. During his tenure, some of the payments were made to Avantor Performance materials India Ltd., Legend Enterprises and Omini Medi from irrelevant Head of Account (HoA) by violating financial rules

   In violation of Rules prescribed under AP Budget Manual and the Appropriation Acts passed by the State Legislation, the office of the DIMS purchased items irrespective of the objective head for which budget released. During 2014-15 to 2018-19, an amount of Rs.68.87 Cr deviated from one objective head to other objective head for purchase of items. Year wise and objective head wise details are herewith enclosed. The abstract of deviation of budget and payments from irrelevant Head of Account is as follows:-

| Sl. No. | Subject Head | Diverted Head | Amount |
|---|---|---|---|
| 1. | Material & Supply - 210 / 211 | OOE - 130 / 132 | 87,70,875 |
| 2. | Drugs & Medicines - 210 / 212 | OOE - 130 / 132 | 1,05,68,163 |
| 3. | Maintenance - 270 / 272 | OOE - 130 / 132 | 49,82,527 |
| 4. | Maintenance - 270 / 272 | Material & Supply - 210 / 211 | 89,26,924 |
| 5. | Drugs & Medicines - 210 / 212 | Material & Supply - 210 / 211 | 12,62,49,363 |
| 6. | Material & Supply - 210 / 211 | Drugs & Medicines - 210 / 212 | 52,92,83,116 |
| | TOTAL | | **68,87,80,968** |

2. Not maintained budget registers and Contingent bills registers for onwards submission to the PAO Concerned.

3. Initiated sanction proceedings for payments to various companies (Avantor, Omni, Legand etc.,) by giving directions in the proceedings to pay from irrelevant HoA. Accordingly from 2014 to 2019 payments to a tune of Rs. 45.83 Cr were made to above three firms only under irrelevant HoAs by violating the financial rules and other rules existing in force.

From this, it is evident that he has exhibited lack of integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules, 1964.

Hence, the charges.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumar
SECTION OFFICER

## ANNEXURE - III

List of documents on the basis of which the Article of Charges framed against Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada.

1. G.O.Ms.No.258, Finance (TFR) Dept., Dt.20.09.2013.
2. G.O.Ms.No.2, Finance (Works & Projects-F7) Department, Dt.03.02.14.
3. G.O.Ms.No.40, Finance (TFR) Dept., Dt.14.02.2014.
4. G.O.Ms.No.51, I&C (MSME) Dept., Dt.01.06.2010.
5. G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept.
6. Circular No.13/CDS/2014, Dt.31.05.2016 of the Director, Insurance Medical Services
7. Purchase procedure guidelines of ESIC vide LR.NO.U-16/52/2001/MED-III (AP), dt.22.11.2016.
8. Article 3 and 4 of Andhra Pradesh Financial Code.
9. Appendix I of part 3 of Andhra Pradesh Budget Code.
10. Vigilance Report No. 01 (C.No. 2982/V&E/Sec-II/D2/2019-1,2& 836/DG/V&E/Sec-II/D2/2019) Dt. 03.01.2020 of the Director General (V&E) & E.O. Prl. Secretary to Government, General Administration (Vigilance & Enforcement) Department.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

List of witness by whom the Article of Charges framed against Sri N. Subba Rao, Superintendent, O/o DIMS, Vijayawada.

--- N I L ---

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER